



# CITY OF LODI

## COUNCIL COMMUNICATION

**AGENDA TITLE:** Ordinance No. 1653 Entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 10.44, Section 10.44.160 Relating to the Public Works Director Designating Public Carrier and School Bus Stops and Stands"

**MEETING DATE:** November 19, 1997

**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1653.

**BACKGROUND INFORMATION:** Ordinance No. 1653 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 10.44, Section 10.44.160 Relating to the Public Works Director Designating Public Carrier and School Bus Stops and Stands" was introduced at the regular City Council meeting of November 5, 1997.

Pursuant to State statute, ordinances may be adopted five days after their introductions following reading by title.

This Ordinance has been approved as to form by the City Attorney.

**FUNDING:** None required.

  
Alice M. Reimche  
City Clerk

Attachment

**APPROVED:** \_\_\_\_\_  
H. Dixon Flynn -- City Manager

ORDINANCE NO. 1653

AN ORDINANCE OF THE LODI CITY COUNCIL  
AMENDING LODI MUNICIPAL CODE CHAPTER 10.44,  
SECTION 10.44.160 RELATING TO THE PUBLIC  
WORKS DIRECTOR DESIGNATING PUBLIC CARRIER  
AND SCHOOL BUS STOPS AND STANDS

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. Lodi Municipal Code Chapter 10.44 Stopping, Standing or Parking,  
Section 10.44.160 - is hereby amended to read as follows:

The Public Works Director is authorized to establish bus stops, bus stands, taxicabs stands, school bus stops and stands for other passenger common-carrier motor vehicles on such streets, and time restrictions for those stops and stands, in such places, and in such number as the Public Works Director shall determine to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate official traffic control devices.

Section 2. - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 5. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 19th day of November, 1997

  
PHILLIP A. PENNINO  
Mayor

Attest:

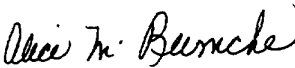
  
ALICE M. REIMCHE  
City Clerk

State of California  
County of San Joaquin, ss.

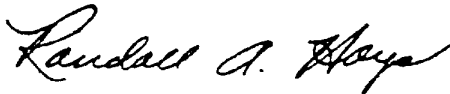
I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1653 was introduced at a regular meeting of the City Council of the City of Lodi held November 5, 1997 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held November 19, 1997 by the following vote:

Ayes:	Council Members – Land, Mann, Sieglock, Warner and Pennino (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1653 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

  
ALICE M. REIMCHE  
City Clerk

Approved as to Form:

  
RANDALL A. HAYS  
City Attorney